



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TATEISHI et al.

Serial No.: 10/577,375

Filed: February 12, 2007

Art Unit: 1651

Conf. No.: 6219

Examiner: Irene MARX

Atty. Docket No.: MOEG.0001.US

**FUNGUS HAVING ACTIVITY OF
CONTROLLING DISEASE OF
GRAMINEOUS PLANT,
CONTROLLING AGENT USING THE
SAME, METHOD OF CONTROLLING
AND BIOLOGICAL MATERIAL**

Commissioner for Patents
MAIL STOP AMENDMENT
P.O. BOX 1450
Alexandria, VA 22313-1450

RESPONSE TO WRITTEN RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the written Restriction Requirement ("Office Action") mailed July 16, 2009. The one (1) month period for response expired on August 16, 2009. This Response is timely filed with Petition for Four-Month Extension of Time filed concurrently herewith. Should a Petition for additional Extension of Time be required, please consider this paper as a request for such a Petition. The Commissioner is hereby authorized to charge any fees, which may be required by this paper, to Deposit Account No. 18-0586.

PROVISIONAL ELECTION:

Applicant provisionally elects with traverse to further prosecute Group III, claims 1, 6, 8-9, 14, and 15 (replaced by new claims 21-24) for continued prosecution in the above-referenced application.